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REMARKS

The final Office Action dated May 3, 2005 has been reviewed, and the comments of the U.S. Patent Office have been considered. Claims 1-25, 35-50 and 76-87 have been canceled without prejudice or disclaimer, claims 26, 28, 30, 56, 59, 60, 64, 65 and 88 are currently amended, claims 32, 51-55, 57, 58, 61-63 and 66-75 remain as previously presented, and claims 27, 29, 31, 33 and 34 remain as originally filed. Thus, claims 26-34, 51-75 and 88 are resubmitted for consideration.

Applicant's undersigned representative thanks the Examiner for the many courtesies extended during the course of a telephone interview on August 30, 2005. In accordance with M.P.E.P. § 713.04, the substance of that interview is included in this Amendment and Request for Reconsideration under 37 C.F.R. § 1.116.

Also, Applicant thanks the Examiner for allowing claims 51-55, and for indicating that claims 32-34 contain allowable subject matter.

Claim 59 has been amended in accordance with the Examiner's helpful suggestion to overcome the informality, which was raised in section 2 of the Office Action.

Claims 26-34, 56-75 and 88 stand rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement. The rejections under 35 U.S.C. § 112, first paragraph, of independent claims 26, 28, 30 and 56 are respectfully traversed in view of the above amendments that, in accordance with the Interview Summary of the telephone interview, overcome these rejections. Specifically, Applicant's clapper as recited in independent claims 26, 28, 30 and 56 has been amended to recite a --solid sealing surface--. As was also noted in the Interview Summary, support for these amendments may be found, for example, in Applicant's Figure 2 as originally filed. Dependent claims 60, 64 and 65 have also been similarly amended for consistency. Thus, it is respectfully submitted that the claims fully comply with 35 U.S.C. § 112, and that the rejections under the first paragraph thereof should be withdrawn.

Claims 26-31 and 70-73 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 3,613,720 to Welch. Insofar as the rejection is applicable to amended independent claims 26, 28, and 30, Applicant respectfully traverses the rejection because Welch fails to teach or suggest the claimed invention as a whole.

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Each of amended claims 26, 28, and 30 recites a dry pipe valve sealing assembly that includes, *inter alia*, a seat body and a clapper. The seat body includes a first seating surface offset to a second seating surface. The clapper has a solid sealing surface that extends from the first seating surface to the second seating surface of the seat body. Support for this amendment to claims 26, 28, and 30 is provided by the originally-filed application at, for example, page 6, lines 1-12, and Figures 2 and 10-12.

Similarly, independent claim 56 recites a dry pipe valve sealing assembly that includes, *inter alia*, seat body with offset first and second seat body axes and a clapper with a polymeric seal where the clapper has a solid sealing surface extending between the seating surfaces of a seat body. Support for claim 56 is provided by the originally-filed application at, for example, page 6, lines 1-12, and in Figures 2 and 10-12.

And independent claim 88 recites a dry pipe valve sealing assembly that includes a seat body having a first seating surface and a second seating surface cincturing the first seating surface. The first seating surface defines a passage having a first seat body axis and the second seating surface defines a second body axis offset to the first seat body axis. The assembly includes a member that pivots about an axis between a first position to occlude flow of fluid through the passage of the seat body and a second position to permit fluid flow through the passage. The member has first and second operative sides where the second operative side has a second solid effective surface area less than five times a first solid effective surface area of the first operative side. The second effective surface area having a solid sealing surface that extends between the first and second seating surfaces. Support for claim 88 is provided by the originally-filed application at, for example, page 7, lines 11-31, and in Figures 2-12.

In contrast, Welch shows, in Figure 2, a valve plug assembly 12 of a sanitary check valve. The valve plug assembly 12 has a swingable valve member 42 with hinges 44 and 46. The hinges 44 and 46 are defined by cut-outs through the surface of the swingable member 42 instead of a solid surface that extends from seat surface 20 to proximate groove 36, which provides another seating surface. Welch thus fails to show or describe a clapper with a solid surface that extends from the seat surface 20 to groove 36. Accordingly, claims 26, 28, 30, 56 and 88 are patentable because Welch fails to teach or suggest the claimed invention as a whole.

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Claims 27, 29, 31, 33, 34, 54, 55 and 57-75 depend from at least one of allowable claims 26, 28, 30, 32, 42, 51-53 and 56, and are also allowable for at least the same reasons, as well as for reciting additional features.

In view of the foregoing, Applicant respectfully submits that the pending claims 26-34, 51-75 and 88 are in condition for allowance. An early notice to this effect is earnestly solicited. If there are any questions regarding the application, the examiner is respectfully requested to contact the undersigned representative to expedite prosecution of the application.

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CONCLUSION

Applicant respectfully requests that the Examiner enter this Amendment and Request for Reconsideration under 37 C.F.R. § 1.116, thereby placing all pending claims in condition for allowance.

Should the Examiner feel that there are any issues outstanding after consideration of this reply, the Examiner is invited to contact Applicants' undersigned representative to expedite prosecution of the application.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 08-1641. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

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